

3. Applicants submit herewith a "Statement of the Correct Patent Term Adjustment: Basis(es) Under 37 C.F.R. §1.702 For the Adjustment - Part B." (37 C.F.R. §1.705(b)(2)(i) and (ii)).

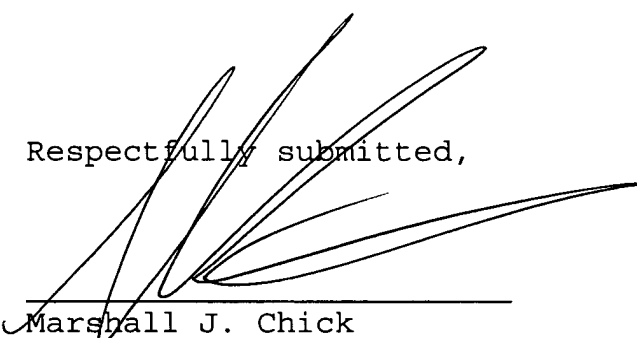
4. Any patent granted on this application (37 C.F.R. §1.705(b)(2)(iii)) is not subject to a terminal disclaimer.

5. As to any circumstances during the prosecution of this application constituting a failure to engage in reasonable efforts to conclude processing or examination of the above-identified patent application as set forth in §1.704 (37 C.F.R. §1.705(b)(2)(iv)): please review the PTA consequence of the filing of an INFORMATION DISCLOSURE STATEMENT on September 21, 2006 and a SUPPLEMENT TO THE INFORMATION DISCLOSURE STATEMENT FILED ON AUGUST 29, 2006, which was filed on September 28, 2006.

6. The fee set forth in §1.18(e) (\$200), required by 37 C.F.R. §1.705(b)(1), is paid as follows:
Attached is a Form PTO-2038 in the amount of \$200.

To the extent not tendered by Form PTO-2038 attached hereto,
authorization is given to charge any additional fees to Deposit
Account No. 06-1378.

Respectfully submitted,



Marshall J. Chick
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FOR RICHARD S. BARTH
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RSB/ddf

- Encs.: (1) Statement of the Correct Patent Term Adjustment:
Basis Under 37 C.F.R. §1.702 For the Adjustment
(37 CFR §1.705(b)(2)(i) and (ii))
- (2) Form PTO-2038 in the amount of \$200

**IN THE UNITED STATES PATENT
AND TRADEMARK OFFICE**



Serial No. : 10/629,108
Applicants : Kazuo KOYAMA et al.
Filed : July 28, 2003
For : BENZYLAMINE ANALOGUES
Art Unit : 1625
Examiner : Dr. Taofiq A. SOLOLA
Docket No. : 03338CIP/HG
Customer No.: 01933
Confirm. No.: 6344

**STATEMENT OF THE CORRECT PATENT
TERM ADJUSTMENT: BASIS UNDER 37 CFR
§1.702 FOR THE ADJUSTMENT (37 CFR
§1.705(b)(2)(i) AND (ii))**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

MAIL STOP PETITION

S I R :

1. This statement is being submitted in support of the
"APPLICATION FOR PATENT TERM ADJUSTMENT INCLUDING REQUEST FOR
RECONSIDERATION OF PATENT TERM ADJUSTMENT INDICATED IN NOTICE OF
ALLOWANCE (37 CFR §1.705)" to which this statement is attached.

NOTICE OF ALLOWANCE:
MAILED FEBRUARY 20, 2008

Express Mail Mailing Label
No.: EM 161 443 915 US
Date of Deposit: May 8, 2008
I hereby certify that this paper is
being deposited with the United States
Postal Service "Express Mail Post
Office to Addressee" service under
37 CFR 1.10 with sufficient postage
on the date indicated above and is
addressed to:
MAIL STOP PETITION
Commissioner for Patents,
P.O. Box 1450
Alexandria, VA 22313-1450


Dorothy DeFrancesco

In the event that this Paper is late
filed, and the necessary petition
for extension of time is not filed
concurrently herewith, please consider
this as a Petition for the requisite
extension of time, and to the extent
not tendered by Form PTO-2038 attached
hereto, authorization to charge the extension
fee, or any other fee required in
connection with this Paper to
Account No. 06-1378.

37 CFR §1.705(b)(2)(i)

2. The patent term adjustment on the Determination of Patent Term Adjustment Under 35 U.S.C. 1549b) that was attached to the Notice of Allowance is 177 days. This determination of 177 days is an error, due to the failure to afford patent term adjustment to the applicants for the period from when a Request for Continued Examination ("RCE") was filed on August 29, 2006 until an Office Action reply thereto issued on March 21, 2007.

It is respectfully submitted that the correct patent term adjustment is 259 days. This is calculated based on four months from the August 29, 2006 filing of the RCE, until the issuance of the March 21, 2007 Office Action (82 days), plus 177 days indicated in the Determination of Patent Term Adjustment Under 35 U.S.C. 154(b) that was attached to the Notice of Allowance. However, the USPTO is requested to review the PTA consequence of the filing of an INFORMATION DISCLOSURE STATEMENT on September 21, 2006 and the September 28, 2006 filing of a SUPPLEMENT TO THE INFORMATION DISCLOSURE STATEMENT FILED ON AUGUST 29, 2006.

37 C.F.R. §1.705(b)(2)(ii)

3. The basis(es) on which applicants seek adjustment are as follows:

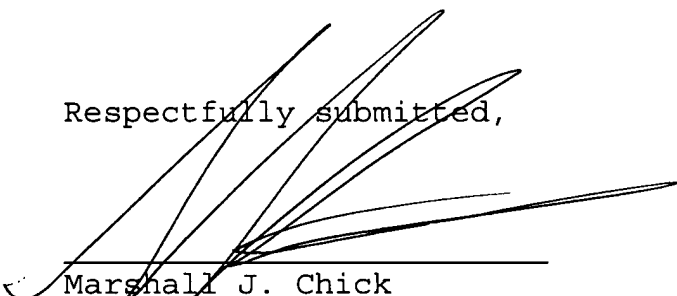
As discussed above, the relevant dates are as follows:

August 29, 2006: RCE filed

March 21, 2007: first Office Action after filing the RCE was
mailed by the USPTO.

Enclosed is the Patent Term Adjustment History obtained from
the USPTO website.

Respectfully submitted,

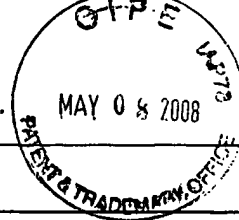


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E-Mail Address: BARTH@FHGC-LAW.COM
RSB/ddf

Enc.: Copy of Patent Term Adjustment History
for application Serial No. 10/629,108



10/629,108 BENZYLAMINE ANALOGUES

02-28-
2008::19:55:22**Patent Term Adjustments**

Patent Term Adjustment (PTA) for Application Number: 10/629,108

Filing or 371(c) Date:	07-28-2003	USPTO Delay (PTO) Delay (days):	207
Issue Date of Patent:	-	Three Years:	-
Pre-Issue Petitions (days):	+0	Applicant Delay (APPL) Delay (days):	30
Post-Issue Petitions (days):	+0	Total PTA (days):	177
USPTO Adjustment(days):	+0	Explanation Of Calculations	

Patent Term Adjustment History

Date	Contents Description	PTO(Days)	APPL(Days)
02-20-2008	Mail Notice of Allowance	155	
06-26-2007	Document Verification	◆	
06-26-2007	Notice of Allowance Data Verification Completed	◆	
06-13-2007	Miscellaneous Incoming Letter	◆	
06-01-2007	Date Forwarded to Examiner	◆	
05-18-2007	Response after Non-Final Action	◆	
09-21-2006	Information Disclosure Statement considered		
09-21-2006	Information Disclosure Statement (IDS) Filed		
06-05-2006	Information Disclosure Statement considered		
06-05-2006	Information Disclosure Statement (IDS) Filed		
05-03-2006	Information Disclosure Statement considered		
05-03-2006	Information Disclosure Statement (IDS) Filed		
03-21-2007	Mail Non-Final Rejection		
03-19-2007	Non-Final Rejection		
09-28-2006	Information Disclosure Statement considered		
08-29-2006	Information Disclosure Statement considered		
09-28-2006	Information Disclosure Statement (IDS) Filed		
09-28-2006	Information Disclosure Statement (IDS) Filed		
08-29-2006	Information Disclosure Statement (IDS) Filed		
08-29-2006	Information Disclosure Statement (IDS) Filed		
02-26-2007	Date Forwarded to Examiner		
08-29-2006	Request for Continued Examination (RCE)		
02-26-2007	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)		
02-26-2007	Case Docketed to Examiner in GAU		
08-29-2006	Workflow - Request for RCE - Begin		
06-22-2006	Mail Miscellaneous Communication to Applicant		
06-19-2006	Miscellaneous Communication to Applicant - No Action Count		
05-30-2006	Mail Notice of Allowance		
05-25-2006	Notice of Allowance Data Verification Completed		
05-25-2006	Case Docketed to Examiner in GAU		

05-11-2006	Date Forwarded to Examiner	
05-03-2006	Response after Non-Final Action	30
05-03-2006	Request for Extension of Time - Granted	✦
01-03-2006	Mail Non-Final Rejection	✦
11-16-2005	Non-Final Rejection	
09-16-2005	Information Disclosure Statement considered	
09-16-2005	Reference capture on IDS	
09-16-2005	Information Disclosure Statement (IDS) Filed	
09-16-2005	Information Disclosure Statement (IDS) Filed	
09-26-2005	Date Forwarded to Examiner	
09-26-2005	Date Forwarded to Examiner	
09-16-2005	Request for Continued Examination (RCE)	
09-26-2005	DISPOSAL FOR A RCE/CPA/129 (express abandonment if CPA)	
09-16-2005	Workflow - Request for RCE - Begin	
06-17-2005	Mail Final Rejection (PTOL - 326)	
06-16-2005	Final Rejection	
05-26-2005	Date Forwarded to Examiner	
05-17-2005	Response after Non-Final Action	
04-25-2005	Correspondence Address Change	
02-22-2005	Mail Non-Final Rejection	
02-18-2005	Non-Final Rejection	
12-20-2004	Reference capture on IDS	
12-20-2004	Information Disclosure Statement (IDS) Filed	
12-20-2004	Information Disclosure Statement (IDS) Filed	
01-15-2005	Date Forwarded to Examiner	
12-20-2004	Response to Election / Restriction Filed	
12-20-2004	Workflow incoming amendment IFW	
11-19-2004	Mail Restriction Requirement	52
11-18-2004	Requirement for Restriction / Election	✦
04-29-2004	IFW TSS Processing by Tech Center Complete	✦
04-29-2004	Case Docketed to Examiner in GAU	✦
10-23-2003	Preliminary Amendment	✦
04-25-2004	Case Docketed to Examiner in GAU	✦
03-02-2004	IFW TSS Processing by Tech Center Complete	✦
10-23-2003	Preliminary Amendment	✦
10-22-2003	Information Disclosure Statement (IDS) Filed	✦
10-22-2003	Information Disclosure Statement (IDS) Filed	✦
12-12-2003	Application Return from OIPE	✦
12-12-2003	Application Return TO OIPE	✦
12-12-2003	Application Dispatched from OIPE	✦
12-12-2003	Application Is Now Complete	✦

10-22-2003	Additional Application Filing Fees	◆
07-28-2003	Claim Preliminary Amendment	◆
10-22-2003	A statement by one or more inventors satisfying the requirement under 35 USC 115, Oath of the Applicant	◆
10-20-2003	Notice Mailed--Application Incomplete--Filing Date Assigned	◆
10-11-2003	Cleared by OIPE CSR	◆
09-19-2003	IFW Scan & PACR Auto Security Review	◆
07-28-2003	Initial Exam Team nn	◆

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